



TOWN OF LINCOLN NEW HAMPSHIRE

PLANNING BOARD  
ZONING BOARD OF ADJUSTMENT

# PLANNING & ZONING DEPARTMENT

## ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AGENDA

Wednesday, June 15, 2022 – 6:00PM

Lincoln Town Hall, 148 Main Street, Lincoln NH

Due to the current evolving status of COVID-19, this meeting will be a hybrid meeting to be presented both in person with social distancing encouraged (space limited to 8-12) and via ZOOM Video Conferencing to allow for town wide participation. A quorum of the members of the board will have to be physically present at the meeting. All others may attend via ZOOM if they wish.

### Join Meeting via Zoom:

<https://us02web.zoom.us/j/84280588488?pwd=VVJhZDlS3AxOEcxERnRmdOWkhnUT09>

**Meeting ID: 842 8058 8488**

**Passcode: 612324**

**Or dial by your location 1-929-205-6099 US (New York)**

I. **CALL TO ORDER** by the Chairman of Zoning Board of Adjustment; announcement of excused absences, if any, and seating of alternates(s), if necessary.

II. **CONSIDERATION** of meeting minutes from:

- June 1, 2022 (Present: Acting Chair, Jon Ham, Jack Daly (via Zoom), Vice Chair Mark Ehrman (via Zoom), Member Delia Sullivan, Member Myles Moran (via Zoom), and Alternate Susan Chenard)

III. **CONTINUING AND OTHER BUSINESS** (Staff and Zoning Board Member/Alternates).

1. **6:00 PM. Request for an EQUITABLE WAIVER Of DIMENSIONAL REQUIREMENTS (EWDR) for the preexisting nonconforming house and a VARIANCE for a deck within the fifteen-foot (15') front setback area.**

[Var 2022-03 M1117 L063 L. Scott Weeks & Karen A. Weeks – (EWDR) for the preexisting nonconforming house and a VARIANCE for a deck within the fifteen-foot (15') front setback area.]

Request for an **EQUITABLE WAIVER of DIMENSIONAL REQUIREMENTS** and a **VARIANCE** concerning Article VI District and District Regulations, Section B District Regulations, Paragraph 2 Land Use Schedule, Paragraph 4 (Dimensional Chart) of the zoning ordinance known as the Land Use Plan Ordinance (LUPO) by L. Scott Weeks and Karen A. Weeks, 131 Reservoir Street, Norton, MA 02766, for their property at 9 Boyle Street (Map 117, Lot 063) concerning Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule), Paragraph 4 (Dimensional Chart) of the Land Use Plan Ordinance (LUPO).

The requests are:

1. For the ZBA to grant an **Equitable Waiver of Dimensional Requirements** to allow the pre-existing nonconforming home located partially within the 15-foot side setback area to remain; and
2. For the ZBA to grant a **Variance** to allow a proposed deck to be located on the back of the house within the 15-foot side setback area to within 1.75 feet of the south property boundary line.

### Appellant & Property Owners:

L. Scott Weeks and Karen A. Weeks  
131 Reservoir Street

Phone: (603) 745-8527

Fax: (603) 745-6743

PO Box 25

Lincoln NH, 03251-0025

Web: [www.lincolnnh.org](http://www.lincolnnh.org)

Email: [planning@lincolnnh.org](mailto:planning@lincolnnh.org)

Norton, MA 02766

**Surveyor:**

Andrew J. Nadeau, LLS, PLS  
Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Property:**

9 Boyle Street (Map 117, Lot 063), Rural Residential (RR) District.  
Not a part of any Homeowners Association or Condominium Association

**Project:**

The subject lot is located within the Rural Residential (RR) District where front, side & rear setbacks are 15 feet from the property boundary line. No structures are permitted within the setback areas.

Pre-existing nonconforming house was built in 1965 prior to 1986 adoption of zoning. More than half of the pre-existing house was built within what is now designated as the side setback area; the southern edge of the building is almost on the southern property boundary line.

The property owners own three (3) adjacent lots:

- (1) Map 113, Lot 062 – Boyle Street #LO;
- (2) Map 113, Lot 063 – 9 Boyle Street (subject lot); &
- (3) Map 113, Lot 064 – 15 Boyle Street.

The subject lot is the middle lot on 9 Boyle Street. The most impacted lot is the owners' adjacent lot south of the subject lot & is currently a vacant lot. Property owners intend to develop Map 113, Lot 062 sometime in the future.

Appellants need a variance to put a 12'X24' deck in the 15 ft side setback area.

**IV. NEW BUSINESS**

**1. Review and/or revise ZBA Rules of Procedure.**

**V. OTHER BUSINESS** – ZBA members/alternates, Zoning Board Staff

**VI. PUBLIC PARTICIPATION AND OTHER BUSINESS:** Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the ZBA will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

**VII. ADJOURNMENT**